

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

DHL NETWORK OPERATIONS
(USA), INC.,

Plaintiff,

-vs-

FEDERAL AVIATION TITLE
COMPANY OF OKLAHOMA LLC,
et al.,

Defendants.

Case No. CIV-18-0429-F

ORDER


Plaintiff/Judgment Creditor DHL Network Operations (USA), Inc. has notified the court that Defendant/Judgment Debtor Christina Klein has commenced a case under Chapter 7 of the United States Bankruptcy Code. Plaintiff advises that it is not aware that the other defendant, Defendant/Judgment Debtor Federal Aviation Title Company of Oklahoma, LLC, has commenced a bankruptcy action, but that the schedules filed in Klein's bankruptcy action include debts of that entity.

The automatic stay of 11 U.S.C. § 362(a)(1) applies to "the commencement or continuation ... of a judicial ... proceeding against the debtor that was ... commenced before the commencement of" the bankruptcy." Those conditions are met with respect to the evidentiary hearing previously set for June 14, 2019. Accordingly, based on the stay, the June 14 hearing, which was for the purpose of taking evidence on plaintiff's request that defendants be held in contempt for their failure to appear for hearings set by Magistrate Judge Suzanne Mitchell, is **STRICKEN**. *See generally, In re Atkins*, 176 B.R. 998, 1005-06 (Bankr. D. Minn.

1994) (civil contempt proceedings not excepted from automatic stay). Plaintiff is **DIRECTED** to promptly advise the court when the stay is lifted, and to advise the court, at that time, whether plaintiff seeks to pursue civil contempt.

Plaintiff **SHALL** serve a copy of this order on the defendants and file proof of service no later than noon on June 13, 2019.

Dated this 10th day of June, 2019.


STEPHEN P. FRIOT
UNITED STATES DISTRICT JUDGE

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